

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20920 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- Excise Jhanjharpur District- Madhubani

Bishudev Ram @ Vishudev Ram Son of Sobhir Ram Resident of Village-
Phulkahi, Ward No. 14, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Perna, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Ms. Perna, learned counsel for the petitioner
and Mr. Khurshid Anwar, learned Additional Public Prosecutor
for the State.

2. Petitioner seeks bail who is in custody since
31.01.2026 in connection with G.O. No. 143 of 2026 arising out
of Excise Jhanjharpur P.S. Case No. 23 of 2026, F.I.R. dated
30.01.2026 for the offences punishable under Sections 30(a),
32(1) and 32(3) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. Recovery is of 675 liters of illicit liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. She further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery of 675



liters of illicit liquor has been made from the tempo in question. There is non-compliance of section 103/105 of the BNSS, 2023. She further submits that the seizure list witnesses were the police personnel. The petitioner is in custody since 31.01.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the recovery has been made from the tempo in question and apart from that the petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances that nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Section 103/105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Jhanjharpur Madhubani in connection with G.O. No. 143 of 2026 arising out of Excise Jhanjharpur P.S. Case No. 23 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

